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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,387	12/04/2003	Kevin L. Robinson	LMC-34	7745
45722 7590 09/11/2007 PLEVY, HOWARD & DARCY, P.C. P.O. BOX 226 Fort Washington, PA 19034			EXAMINER LUU, CHUONG A	
			ART UNIT 2818	PAPER NUMBER
			MAIL DATE 09/11/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/727,387	ROBINSON, KEVIN L.	
	Examiner	Art Unit	
	Chuong A. Luu	2818	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/11/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 2 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 3-19 have been considered but are moot in view of the new ground(s) of rejection.

PRIOR ART REJECTIONS

Statutory Basis

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The Rejections

Claims 3-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inokuchi et al. (U.S. 6,294,801) in view of Kim et al. (U.S. 6,593,603 B1).

Inokuchi discloses a semiconductor device with

(3); (10) a first block comprising an enhancement mode PHEMT transistor on a substrate;

a second block comprising a depletion mode PHEMT transistor on the substrate, the second block operatively connected to the first block (see column 11, lines 6-29.

Figure 6);

(4) further comprising: b: a clock input in communication with at least one of the first block, the second block;

c: a digital output in communication with at least one of the first block, the second block;

d: wherein the first block, the second block connect to form an analog to digital converter (see Figure 6);

(5) wherein the integrated circuit is a microwave and millimeter wave integrated circuit (MMIC) (see Figure 6);

(6) wherein the circuit is a circuit capable of operating at a frequency within the range of from very low frequency up to and including X-band frequencies (see Figure 6);

(8) wherein the substrate comprises a group III-V element (see Figure 6);

(9) wherein the substrate comprises gallium arsenide (see Figure 6);

(11) wherein the plurality of integrated circuits can be interconnected to form a plurality of functional blocks which can be interconnected to create an operational electronic device (see Figure 6);

(12) wherein each of said PHEMT transistors comprises a recess defined in said substrate and a gate formed in said recess (see Figure 6);

(13) wherein the recess of the depletion mode PHEMT transistor is a single recess (see Figure 6);

(15) wherein the recess of the enhancement mode PHEMT transistor is a single recess (see Figure 6);

(16) wherein the recess of the depletion mode PHEMT transistor is a single recess, and each of said recesses is defined through at least one common layer of said substrate (see Figure 6).

Inokuchi teaches everything above except for a third block comprising a power PHEMT transistor on the substrate, the third block operatively connected to at least one of the first block and the second block; wherein the recess of the power PHEMT transistor is a double recess; wherein the recess of the power PHEMT transistor is a double recess; wherein at least one of said gates is a T-gate; wherein a pinch off voltage of the depletion-mode PHEMT transistor is about positive 0.1 volts; and wherein a pinch off voltage of the enhancement-mode PHEMT transistor is about negative 1.0 volts. However, Kim discloses a high electron mobility transistor with (3); (4); (7)... a third block comprising a power PHEMT transistor on the substrate, the third block operatively connected to at least one of the first block and the second block; an analog input in communication with at least one of the first block, the second block (see column 2, lines 7-45. Figure 1); (7) an analog to digital converter, comprising an enhancement mode PHEMT device, a depletion mode PHEMT device on a single substrate (see column 1, lines 15-35. Figure 1); (14); (16) wherein the recess of the power PHEMT transistor is a double recess; (17) wherein at least one of said gates is a T-gate (see Figure 1); (18) wherein a pinch off voltage of the depletion-mode PHEMT transistor is about positive 0.1 volts (see column 5, lines 45-61); (19) wherein a pinch off voltage of the enhancement-mode PHEMT transistor is about negative 1.0 volts (see column 5, lines 45-61). Therefore, it would have been obvious to one having ordinary skill in the

Art Unit: 2818

art at the time the invention was made to combine the teachings of Inokuchi and Kim to form a transistor since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. Doing so would facilitate the manufacture of the semiconductor device and enhance the performance of the semiconductor transistor.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong A. Luu whose telephone number is (571) 272-1902. The examiner can normally be reached on M-F (6:15-2:45).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven H. Loke can be reached on (571) 272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


CHUONG LUU
PRIMARY EXAMINER